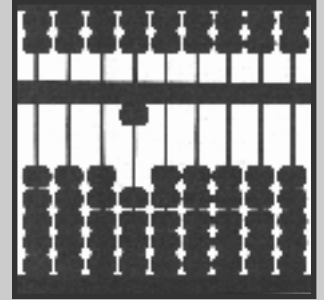




4



United States Copyright Office

Copyright

Office

Fees

IN GENERAL

The 1976 Copyright Act (title 17 of the United States Code) established statutory fees for certain services provided by the Copyright Office. These services include registering claims to copyright and renewal of claims, as well as recordation of documents, searches of copyright records, and other services. In 1997 Congress passed a law giving the Register of Copyrights the authority to set these fees if certain conditions were met. See Pub. L. 105-80, III Stat. 1529 (1997). Section 708(a)(10) authorizes the Register of Copyrights to charge additional fees. The additional fees are fixed on the "basis of the cost of providing the service" "for any other special services requiring a substantial amount of time or expense."

PAYMENT OF FEES

All remittances should be in the form of checks, bank money orders, or bank drafts payable to: **Register of Copyrights**. Electronic transfers are not possible. Credit card charges are not acceptable except for payments for NIE recordings and claims filed on Forms GATT and GATT/Grp.

If a check received in payment of the filing fee is returned to the Copyright Office as uncollectible, the Copyright Office will cancel the registration and will notify the remitter.

The filing fee for processing an original, supplementary, or renewal application is nonrefundable, whether or not copyright registration is ultimately made.

Do not send cash. The Copyright Office cannot assume any responsibility for the loss of currency sent in payment of copyright fees.

If you are filing from outside the United States, your check or money order must be redeemable without a service or exchange fee through a U.S. institution, payable in U.S. dollars, and imprinted with American Banking Association routing numbers. Banks that have affiliates with American financial institutions may be able to provide this service. Postal money orders and international money orders that are negotiable only at a post office are not acceptable.

SERVICES PROVIDED

Registration of Copyright Claims

A certificate bearing the Copyright Office seal is sent for each registration and renewal. For further information about copyright registration procedures, request Circular 1, "Copyright Basics." For further information about filing an NIE, including a correction NIE, or registering a restored work under the URAA, request Circular 38b, "Highlights of Copyright Amendments Contained in the Uruguay Round Agreements Act (URAA)."

Recordation of Documents

A document that relates to any disposition of a copyright, such as a transfer, will, or license, may be recorded in the Copyright Office. The basic fee of \$50 covers a document of any length containing one title. Additional titles are \$15 for each group of 10 or fewer titles. The Copyright Office will verify title counts.

When processing is completed, the submitted document(s) will be returned with a certificate of recordation bearing the Copyright Office seal.

For more information about recordation of documents, request Circular 12, "Recordation of Transfers and Other Documents."

PAYMENT OF FEES FOR RECORDATION ON FORM GATT, FORM GATT/GRP, AND NIES

Credit cards may be used for filings under the Uruguay Round Agreements (URAA) when timely submitted. These filings include Notices of Intent to Enforce (NIE) a copyright and registrations made on Form GATT and Form GATT/Grp. The Copyright Office will accept VISA, MasterCard, and American Express for these filings only. Debit cards cannot be accepted for payment.

To pay by credit card, the filer must provide in a separate letter the credit card's name, number, and expiration date; the total amount authorized to be charged; and a signature authorizing the Copyright Office to charge the fees to that account. To protect its security, the credit card number must not appear on the NIE, Form GATT, or Form GATT/Grp because the notice and/or application becomes part of the public record.

Filers of an NIE, Form GATT, or Form GATT/Grp may also pay by deposit account. See Circular 5, "How to Open and Maintain a Deposit Account in the U.S. Copyright Office."

Certifications

Fees are cumulative. When the Copyright Office certifies a record, a certification fee is payable in addition to fees for other applicable services, such as searches or photoduplication. There is an additional charge of \$65 for each hour or fraction of an hour required to locate all Copyright Office records, except where the requestor supplies the Copyright Office with the registration number and year of registration.

For more information about this service, request Circular 6, "Obtaining Access to and Copies of Copyright Office Records and Deposits."

Searches

A written report is sent for each search. Upon request the Reference and Bibliography Section will estimate the fee required for a search. The fee must be received before the search is undertaken.

NOTE: Searches are not made (and are not necessary under the copyright code) to determine whether a similar work has already been registered. Such searches are not possible because the Copyright Office does not index by subject.

For more information about this service, request Circular 22, "How to Investigate the Copyright Status of a Work."

Receipt for Deposits

Normally the certificate of registration will serve as a record of receipt for claims submitted under section 408 of the Copyright Act. For items submitted under section 407, mandatory deposit for the Library of Congress, the fee for a receipt for deposit is \$4.

Special Handling

Expedited processing of an application for registration of a claim to copyright, a mask work claim, or a request for recordation of documents pertaining to a copyright is granted at the discretion of the Register of Copyrights in certain cases.

Requests must include details that support the basis for the request. Examples of situations where a special handling request may be approved include pending or prospective litigation, cases involving the U.S. Customs Service, contractual matters, or publishing deadlines. The request must include a written certification, that is, a signed statement that the details are correct to the best of the requestor's knowledge.

Requests for special handling should be made in person in the Copyright Public Information Office, LM-401, Library of Congress, or by mail to:

Library of Congress
Department 100
101 Independence Avenue, S.E.
Washington, D.C. 20540

For more information about special handling, request Circular 10, "Special Handling."

Full-Term Retention of Copyright Deposits

The Copyright Office general policy is to retain published, registered copyright deposits for at least 5 years with the exception of deposits of published works registered in Class VA (visual arts). These are retained for at least 10 years. Unpublished deposits, however, are ordinarily kept for the full copyright term. Registrants who wish to ensure that the Copyright Office will keep their published deposits for the full length of the copyright term must pay a fee of \$365 to cover storage costs.

Requests for full-term retention should be sent to:

Library of Congress
Copyright Office
Chief, Information and Reference Division
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000
Attention: Full-Term Retention Request

For further information on full-term retention, request Circular 96, Section 202.23, "Full-Term Retention of Copyright Deposits."

Surcharge for *Expedited* Reference and Bibliography Searches

This service involves researching Copyright Office records for information on copyright registrations, renewals, and transfers and other documents. It may be provided on an expedited basis under certain conditions. The fees for expedited service, \$125 for the first hour and \$95 for each additional hour, are in addition to the \$65 statutory fee for each hour or fraction thereof.

Surcharge for *Expedited* Certifications and Documents Services

Anyone may request an additional certificate of registration, copies of the copyright application, correspondence, and other documents related to copyright. These services may be provided under certain conditions on an expedited basis. Copies of the copyright deposit will be provided only when 1) written authorization is received from the copyright claimant of record or his/her designated agent or from the owner of any of the exclusive rights in the copyright; 2) the Copyright Office Litigation Statement Form is completed and received from an attorney or authorized representative in connection with actual or prospective litigation involving the copyrighted work; or 3) a court order is issued for a reproduction of a deposited article, facsimile, or identifying portion that is the subject of litigation in the court's jurisdiction.

The fees for *expedited* services are surcharges and will be added to the regular charge for the service provided (minimum 1 hour).

Refunds

Payments more than \$50 in excess of the required fee will be refunded automatically, but refunds of \$50 or less will only be made upon request.

Filing fees remitted to the Copyright Office for basic, supplementary, or renewal registration and for special handling will not be refunded, whether or not copyright regis-

tration is ultimately made. To cover administrative and processing costs, fees received in conjunction with requests for services may not be refunded even when the services cannot be provided.

Appeals

When the Copyright Office refuses to register a claim to copyright, it notifies the applicant in writing of the refusal to register. After such notification, the applicant may appeal within 120 calendar days, by sending a letter requesting reconsideration and setting forth his or her objections to the refusal. The cost of a first appeal is \$200 plus \$20 for each additional claim in a related group. If registration is again refused, a second appeal for reconsideration may be submitted. The cost of a second appeal is \$500 plus \$20 for each additional claim in a related group. The decision of the Board of Appeals for the second appeal constitutes final agency action.

FOR FURTHER INFORMATION

Information via the Internet: Frequently requested circulars, announcements, regulations, other related materials, and all copyright application forms are available via the Internet. You may access these from the Copyright Office homepage at www.loc.gov/copyright

Information by fax: Circulars and other information (but not application forms) are available by using a touchtone phone to access Fax-on-Demand at (202)707-2600.

Information by telephone: For general information about copyright, call the Copyright Public Information Office at (202)707-3000. The TTY number is (202)707-6737. Information specialists are on duty from 8:30 a.m. to 5:00 p.m., eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day. Or, if you know which application forms and circulars you want, request them from the Forms and Publications Hotline at (202)707-9100 24 hours a day. Leave a recorded message.

Information by regular mail: Write to:

Library of Congress
Copyright Office
Publications Section, LM-455
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

Copyright Office Fees

Effective through June 30, 2001¹

Copyright Registration Fees

Basic Registrations: (Fee to accompany an application and deposit for registration of a claim to copyright)

Form TX	\$ 30
Short Form TX	\$ 30
Form VA	\$ 30
Short Form VA	\$ 30
Form PA	\$ 30
Short Form PA.	\$ 30
Form SE	\$ 30
Short Form SE	\$ 30
Form SR	\$ 30
Form GATT	\$ 30
Form GR/CP (This Form is an adjunct to Forms VA, PA, and TX. There is no additional charge.)	

\$30

Renewal Registrations: (For works published or registered before January 1, 1978)

Form RE	\$ 45
Addendum to Form RE	\$ 15

Group Registrations: (Fee to register a group of related claims, where appropriate)

Form SE/Group (minimum fee \$30) (serials)	\$ 10 /serial issue
Form G/DN (daily newspapers and newsletters)	\$ 55
Form GATT/Grp (minimum fee \$30) (restored works)	\$ 10 /restored work

Supplementary Registrations: (Fee to register a correction or amplification to a completed registration)

Form CA	\$ 65
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Miscellaneous Registrations:

Form D-VH (vessel hulls)	\$75**
Form MW (mask works)	\$75

Special Services Related to Registration (Optional Services)

Special Handling for Registration of Qualified Copyright Claims:

(Fee to expedite processing of qualified claims)

Special handling fee (per claim)	\$ 500
Additional fee for each (non-special handling) claim using the same deposit	\$ 50

Other Fees Associated with Registration:

Full-term retention of published copyright deposit	\$ 365
Secure test processing	\$ 60 /hour
Appeal fees (for claims previously refused registration)	
First appeal	\$ 200
Additional claim in related group (each)	\$ 20
Second appeal	\$ 500
Additional claim in related group (each)	\$ 20

¹Some of these fees went into effect on July 1, 1999; they will be considered again in 2002.
Others went into effect on July 1, 1998; they will be considered again in 2001.

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Other Copyright Service Fees

Recordation of Documents Relating to Copyrighted Works

(Fee to make a public record of an assignment of rights or other document)

Recordation of a document containing no more than one title	\$ 50
Additional titles (per group of 10 titles)	\$ 15
Recordation of NIE containing no more than one title	\$ 30
Additional titles (each)	\$ 1

Special Handling of Recordation of Documents \$ 330

Reference and Bibliography Reports on Copyrighted Works

(Fee for searching copyright records and preparing an official report)

Preparation of a report from official records	\$ 65 /hour
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Surcharge for Expedited Reference and Bibliography Reports \$ 125 / 1st hour
\$ 95 /each add'l hour

Certification and Documents Services: Preparing Copies of Copyright Office Records

(Fees for locating, retrieving, and reproducing Copyright Office records)

Search fee for locating and/or retrieving records	\$ 65 /hour
Additional certificate of registration	\$ 25
Certification of Copyright Office records	\$65 /hour
Inspection of Copyright Office records	\$ 65
Copying fee (minimum \$15)	variable fee depending on format & size

Surcharge for Expedited Certification and Documents Services

Locating and/or retrieving in-process records	\$ 75 /hour
Additional certificate of registration	\$ 75 /hour
Certification of Copyright Office records	\$ 75 /hour
Copy of assignment or other recorded document	\$ 75 /hour
Copy of any other Copyright Office record	\$ 95 /1 st hour
	\$75 / each add'l hour

Miscellaneous Fees

Receipt for deposit without registration (Section 407 deposit)	\$ 4
Online Service Provider Designation	\$20*
Notice to Libraries and Archives	\$50**
	\$ 20 /each add'l title
Notice of Intention to obtain compulsory license to make and distribute phonorecords	\$12

*It is anticipated that the fee will increase when final regulations are announced later in 1999.

** This fee may change when final regulations are announced later in 1999.

Please check the Copyright Office Website at www.loc.gov/copyright or call (202) 707-3000 for the latest fee information.

Library of Congress • Copyright Office • 101 Independence Avenue, S.E. • Washington, D.C. 20559-6000

www.loc.gov/copyright